

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1-3, 5-8, and 10-19 are now present in this application, of which claims 1 and 18 are independent. By this amendment, claims 17-19 have been added, and claims 1-3, 5, 7, 11, and 12 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

It is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed and a personal interview was conducted.

Examiner Interview

Applicants wish to thank the Examiner for the courtesies extended to Applicants' representative during the personal interview which was conducted on May 13, 2008. An Examiner Interview Summary has not been made of record yet. During the interview, Applicants' representative argued that the cited references did not teach all limitations of the independent claims, but agreement was not reached on this issue.

In addition, Applicants' representative noted that, in the present invention, the overspeed governor is temporarily mounted to one of the suspension elements and later moved to one of the guide rails after the guide rails have been installed. There is nothing in Klein that suggests the overspeed governor 17 is to be mounted anywhere other than at support member 11. The Examiner agreed that Klein failed to show this configuration.

The claims have been amended in the manner discussed during the interview regarding the overspeed governor, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 5 and 6 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis.

In order to overcome this rejection, Applicants have amended claim 5 to correct the deficiency specifically pointed out by the Examiner. Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. § 102 and 103

Claims 1-3, 5-8, and 10-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Klein. Further, claims 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Klein. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 1 has been amended to recite a combination of elements in a kit for installing shaft equipment for an elevator including "at least one guide rail", "a first suspension element fixable to a ceiling of an elevator shaft or an upper part of a wall of the elevator shaft for temporary support during installation of the elevator", "a second suspension element fixable to the ceiling of the elevator shaft or the upper part of the wall of the elevator shaft for temporary support during installation of the elevator", "a third suspension element fixable to the ceiling of the elevator shaft or the

upper part of the wall of the elevator shaft for temporary support during installation of the elevator”, “a suspension temporarily mounted to the first suspension element, the suspension element configured to carry or support shaft equipment at least during installation, the suspension being connectable to a hoisting device carrying an elevator car, the hoisting device for moving the elevator car during installation of said at least one guide rail, a roof of the elevator car being usable for installation of the shaft equipment and hoisting equipment for the elevator car”, “an overspeed governor temporarily mounted to the second suspension element during installation of the shaft equipment, the overspeed governor being mounted to said at least one guide rail after installation of the shaft equipment”, and “wherein the third suspension element is used as an auxiliary suspension during installation of the elevator.” Applicants respectfully submit that this combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Klein, as discussed more fully during the Examiner Interview discussed above. Accordingly, reconsideration and withdrawal of the § 102 rejection of claim 1 are respectfully requested.

With regard to dependent claims 2, 3, 5-8, and 10-16, Applicants submit that claims 2, 3, 5-8, and 10-16 depend, either directly or indirectly, from independent claim 1, which is allowable for the reasons set forth above, and therefore claims 2, 3, 5-8, and 10-16 are allowable based on their dependence from claim 1, as well as for their additionally recited subject matter. Reconsideration and allowance thereof are respectfully requested.

Claims 17-19

Claims 17-19 have been added for the Examiner’s consideration.

Applicants submit that claim 17 depends from independent claim 1, and is therefore allowable based on its dependence from claim 1, which is believed to be allowable. In addition, claim 17 recites further limitations which are not disclosed or made obvious by the applied prior art reference.

Independent claim 18 recites a combination of elements in A kit for installing shaft equipment for an elevator including “at least one guide rail”, “a first suspension element fixable to a ceiling of an elevator shaft or an upper part of a wall of the elevator shaft for temporary

support during installation of the elevator", "a second suspension element fixable to the ceiling of the elevator shaft or the upper part of the wall of the elevator shaft for temporary support during installation of the elevator", "a third suspension element fixable to the ceiling of the elevator shaft or the upper part of the wall of the elevator shaft for temporary support during installation of the elevator", "a suspension temporarily mounted to the first suspension element, the suspension element configured to carry or support shaft equipment at least during installation, the suspension being connectable to a hoisting device carrying an elevator car, the hoisting device for moving the elevator car during installation of said at least one guide rail, a roof of the elevator car being usable for installation of the shaft equipment and hoisting equipment for the elevator car", "an overspeed governor temporarily mounted to the second suspension element during installation of the shaft equipment", "a first hand-held manually operated mounting tool for setting the suspension on the first suspension element from a top floor or for setting the overspeed governor on said second suspension element from the top floor", and "wherein the third suspension element is used as an auxiliary suspension during installation of the elevator."

Applicants respectfully submits that this combination of elements as set forth in independent claim 18 is not disclosed or made obvious by the prior art of record. For example, the angle iron 16 is not used in setting a suspension on a first suspension element or setting an overspeed governor on a second suspension element, particularly from the top floor. Claim 19 depends from independent claim 18, and is therefore allowable based on its dependence from claim 18, which is believed to be allowable. In addition, claim 19 recites further limitations which are not disclosed or made obvious by the applied prior art reference, particularly two hand-held manually operated tools.

Consideration and allowance of claims 17-19 are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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